

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments and the following comments are respectfully requested.

Claims 1 - 8 are pending in the application. All claims have been rejected.

By the present amendment, claims 1 - 8 have been cancelled without prejudice in favor of new claims 9 - 24.

In the office action mailed September 8, 2005, claims 1 - 8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite and were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,972,357 to Neal et al., U.S. Patent No. 5,579,816 to Hill et al., or PCT patent document no. WO 87/04128 to Herlof.

The foregoing rejections have been traversed by the instant response.

The Examiner is thanked for the courtesy of conducting a personal interview with the undersigned attorney on December 14, 2005. During the interview, the claims presented herein were discussed. The undersigned attorney pointed out features in claims 9 and 17 which were not present in the cited and applied prior art. For example, it was pointed out that none of the cited and applied references has any means for felling trees.

The present invention relates to a forestry machine comprising a movable vehicle, means for felling, cutting, and trimming trees attached to the movable vehicle, and means for operating the felling, cutting, and trimming means and for controlling movement of the vehicle. The operating means comprises a computer positioned on the vehicle for receiving operating instructions from a remote location and for issuing

commands to the tree felling, cutting, and trimming means and the vehicle in response to said operating instructions.

The present invention also relates to a system for forestry felling comprising a forestry machine having a tree felling unit, at least one vehicle onto which felled trees are placed, remote means for operating the forestry machine and the felling unit. The remote means being positioned at a distance from the forestry machine. The forestry machine having onboard means for receiving operating instructions from the remote means and for operating the forestry machine and the tree felling unit in response to the operating instructions.

An important advantage to both the forestry machine and the system of the present invention is the cost reduction, approximately 20%, in comparison to the prior art where the felled logs have to be collected from the ground.

Enclosed herewith is a promotional piece which illustrates the forestry machine and the system of the present invention.

With regard to new claim 9, it should be noted that none of the cited and applied references have the claimed means for felling, cutting, and trimming trees attached to a movable vehicle. Since none of the cited and applied references have the claimed felling, cutting, and trimming means, none of the cited and applied references can have any means for operating the felling, cutting, and trimming means. For these reasons, claim 9 is allowable over the cited and applied references.

New claims 10 - 16 are allowable for the same reasons as claim 9 as well as on their own accord since none of the cited and applied references teach or suggest the claimed combination of elements.

New claim 17 is allowable because none of the cited and applied references teach or suggest the claimed system. As noted

before, none of the references teach or suggest the claimed tree felling unit and/or the means for receiving operating instructions and for operating the forestry machine and the tree felling unit in response to the operating instructions.

New claims 18 - 24 are allowable for the same reasons as claim 17 as well as on their own accord since none of the cited and applied references teach or suggest the claimed combination of elements.

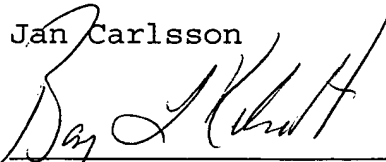
For the foregoing reasons, the instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, she is hereby invited to contact Applicants' attorney at the telephone number listed below.

A request for a one-month extension of time and a check in the amount of \$60.00 are enclosed herewith to cover the cost of the extension of time fee. Should the Director determine that an additional fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

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By 

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I, Nicole Motzer, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on January 5, 2006.

